

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT  
CHANDIGARH

FAO No.215 of 1996

Date of Decision.12.03.2014

United India Insurance Company Limited

.....Appellant

Versus

Tarsem Singh and others

.....Respondents

2. FAO Nos.216 and 217 of 1996

Present: Mr. Neeraj Khanna, Advocate  
for the appellant.

None for the respondents.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

-. -

K. KANNAN J.(ORAL)

1. All the appeals are at the instance of the insurance company pleading for exclusion of liability on the ground that the driving licence was not genuine. In this case, the owner had examined himself and he spoke about the fact that he examined the licence and believed that to be true. This ought to settle the issue of liability for the insurer as has been held by the Supreme Court in Pepsu Road Transport Corpn. v. National Insurance Co., (2013) 10 SCC 217 where the Court has held that unless the insurer had directed the insured to make a verification or drew his pointed attention to the fact that the driving licence was fake, the insurance company would still be liable. In terms of the law laid down by the Supreme Court referred to above, the liability cast on the insurer was perfectly justified.

2. The appeals by the insurance company would, therefore, deserve dismissal and accordingly dismissed.

**(K. KANNAN)  
JUDGE**

**March 12, 2014**  
Pankaj\*